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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,728	09/23/2003	Jean-Philippe Wary	704-011492-US (PAR)	2468

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EXAMINER	
BELANI, KISHIN G	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/668,728	WARY, JEAN-PHILIPPE	
	Examiner	Art Unit	
	Kishin G. Belani	2109	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 September 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *23 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *09/23/2003*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement submitted on 09-23-2003 has been considered by the Examiner and made of record in the application file.

Specification

The disclosure is objected to because of the following informalities:

In paragraph 0034, line 2; change "user are identified" to – user is identified –.

Appropriate correction is required.

Claim Objections

Claims 1, 4, 5, and 10 are objected to because of the following informalities:

Claim 1 references an entity named "a first context identifier" and "the first isolating context identifier". Claim 4 references an entity "an isolating context identifier" and "the context identifier". Claim 5 references an entity "a context identifier" and "the context identifier". Claim 10 references an entity "the context identifier". For the purpose of examination, the examiner has considered all these different names to refer to the same entity. Consistence naming of the same entity in different claims is required.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claim 3 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Whereas the claim states that the contents of the second field (field marked 202 in Fig. 2) depend on a contract existing between the user and the service provider, the specification (paragraph 0040, lines 13-16) discloses field 202 as corresponding to a means of obtaining a variation in the isolating identifier 200 as a function either of the user's requirements or of a content provider code. The specification (paragraph 0040, lines 4-11) further discloses that fields 201 and 205 are related to the contract between the user and the service provider. Please provide clarification and/or amendment.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by **Dorot et al. (PCT Patent Application Publication # WO 02/11474 A2).**

Consider **claim 1**, Dorot et al. clearly show and disclose a method for the production of a first context identifier isolating a user getting connected to a content provider through a telematics network and means placed at his disposal by an service provider, the user being identified by means of a second identifier by the service provider (Fig. 2, block 12 showing user "A" wishing to request anonymous content delivery from party "D" (a content provider shown in block 14); user "A" using an intermediate party (mediator or party "B" shown in block 16) that associates user "A" with an anonymous userid "2" as shown in Table B; the mediator party "B" then uses a service request center (party "C" shown in block 18) and a second anonymous userid "5" that reflects an association as shown in Table C, between userid "2" and the type of content preferred by user "A" and available from party "D", to request specified content delivery from content provider (party "D" in block 14; page 2, lines 26-33 and page 3, lines 1-6 that describe the invention depicted in Fig.2 and disclosing a cellular network to deliver the content; page 6, lines 11-22 that disclose the same details), wherein: the means of the service provider comprise a gateway to associate the first isolating context identifier with the second identifier, the first isolating context identifier requires, for its production, at least one first field to set up the association between the first

isolating context identifier and the user, the first isolating context identifier requires, for its production, a second field to ensure the variability of the first identifier as a function of the content provider (page 6, lines 15-16 that disclose a WAP (Wireless Application Protocol) gateway provided by the mediator 16 at a cellular telephone service provider to associate the anonymous identifier "5" (the first isolating context identifier) with the user "A" (a first field/second identifier) and the content provider "D" (a second field, to ensure the variability of the first identifier as a function of the content provider, as shown in Table C),

the first and second fields are transcoded (Fig. 2, Tables B and C that show user "A" (first field) being transcoded to userid "2" and the combination of userid "2" and content provider (second field) being transcoded to userid "5").

Consider **claim 2**, and **as applied to claim 1 above**, Dorot et al. clearly show and disclose a method wherein the first field comprises the second identifier (Fig. 2, block 12 showing user "A" (second identifier) being assigned anonymous id "2" in Table B, which then becomes the first field of the first isolating context identifier field "5" in Table C; page 6, lines 11-22 that disclose the same details).

Consider **claim 10**, and **as applied to claim 1 above**, Dorot et al. clearly show and disclose a method wherein the context identifier is universal and wherein a same context identifier enables a user to get connected to different types of servers of a same content provider (Fig. 2, Table C which shows that the context identifier is universal in

the sense that it is built from two separate ids, one for the user and the other for the content provider. Therefore, a same context identifier will enable a user to get connected to different types of servers of a same content provider, without worrying that his identity may be compromised; page 7, lines 6-17 that disclose the same details).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 3 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Dorot et al. (PCT Patent Application Publication # WO 02/11474 A2),** in view of **Salmi (U.S. Patent Publication # 6,947,396 B1).**

Consider **claim 3**, and **as applied to claim 1 above**, Dorot et al. clearly show and disclose the claimed invention except explicitly disclosing the method wherein the contents of the second field (interpreted by the examiner to be the first field, based on the 35 U.S.C. 112 First Paragraph rejection of claim 3 above) depend on a contract existing between the user and the service provider.

In the same field of endeavor, Salmi clearly shows and discloses the method wherein the contents of the second field depend on a contract existing between the user and the service provider (Fig. 3B, Service Subscription ID field 36; column 13, lines 44-58 that disclose as part of the messages of the main class, a Service Subscription ID (SSID) that identifies a client and the client's subscription to the service, thereby disclosing a field in the message related to the a contract existing between the user and the service provider).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include in the requested message, an identifier related to a contract existing between the user and the service provider, as taught by Salmi in the method of Dorot et al., so as to be able to bill or audit the service requesting user's account for the services rendered.

Consider **claim 7**, and **as applied to claim 1 above**, Dorot et al. clearly show and disclose the claimed invention except explicitly disclosing the method wherein the first identifier comprises a fourth field to identify the service provider.

In the same field of endeavor, Salmi clearly shows and discloses the method wherein the first identifier comprises a fourth field to identify the service provider (Fig. 3B, Service Provider ID field 34 and Fig. 4, Service Provider ID field 47; column 13, lines 35-48 that disclose as part of the messages of the main class, a Service Provider ID (SPID) that identifies the service provider depicted in Fig. 3B, block 34).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a service provider identifier in the requested message, as taught by Salmi in the method of Dorot et al., so as to be able to receive the requested content from the content provider (as disclosed in column 13, lines 50-52).

Claims 4-6, 9, and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Dorot et al. (PCT Patent Application Publication # WO 02/11474 A2)**, in view of **Marley et al. (U.K. Patent Application Publication # GB 2 372 175 A).**

Consider **claim 4**, and **as applied to claim 1 above,** Dorot et al. clearly show and disclose the claimed invention except explicitly disclosing the method wherein the lifetime of an isolating context identifier is managed by the contents of the second field which change at a determined frequency which becomes the frequency of the lifetime of the context identifier.

In the same field of endeavor, Marley et al. clearly disclose the method wherein the lifetime of an isolating context identifier is managed by the contents of the second field which change at a determined frequency which becomes the frequency of the

lifetime of the context identifier (page 6, lines 8-12 which disclose that a "user tag" (a context identifier) is generated in response to user's request for service. The user tag comprises at least four components including an identification of the ASP (Application Service Provider); page 8, lines 10-17 which disclose that the user tag that includes the ASP ID, has a finite lifetime appropriate to the maximum time likely to be involved in the provision of the service).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to manage the lifetime of an isolating context identifier by the contents of the second field which change at a determined frequency which becomes the frequency of the lifetime of the context identifier, as taught by Marley et al. in the method of Dorot et al., so as to prevent the ASP from attempting to make any contact with the user.

Consider **claim 5**, and **as applied to claim 1 above,** Dorot et al. clearly show and disclose the claimed invention except explicitly disclosing the method wherein the lifetime of a context identifier is managed by the key used to perform the transcoding that changes at a determined frequency which therefore becomes that of the lifetime of the context identifier.

In the same field of endeavor, Marley et al. clearly disclose the method wherein the lifetime of a context identifier is managed by the key used to perform the transcoding that changes at a determined frequency, which therefore becomes that of the lifetime of the context identifier (page 6, lines 8-12 which disclose that a "user tag" (a

context identifier) is generated in response to user's request for service. The user tag comprises at least four components including an identification of the ASP (Application Service Provider); page 6, lines 15-19 which disclose that the user tag is encoded or encrypted; page 8, lines 10-17 which disclose that the user tag that includes the ASP ID, has a finite lifetime appropriate to the maximum time likely to be involved in the provision of the service; page 8, lines 21-22 and page 9, lines 1-2 that disclose use of public/private key system to encrypt the user tag and set its lifetime appropriate to the maximum time likely to be involved in the provision of the service, thereby disclosing that the lifetime of a context identifier is managed by the key used to perform the transcoding that changes at a determined frequency which therefore becomes that of the lifetime of the context identifier).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to manage the lifetime of a context identifier by the key used to perform the transcoding that changes at a determined frequency which therefore becomes that of the lifetime of the context identifier, as taught by Marley et al. in the method of Dorot et al., so as to prevent the ASP from attempting to make any contact with the user, and protect the anonymity of the user requesting the service.

Consider **claim 6**, and **as applied to claim 1 above,** Dorot et al. clearly show and disclose the claimed invention except explicitly disclosing the method wherein the first identifier comprises a third field to contain the nature of the identifier.

In the same field of endeavor, Marley et al. clearly disclose the method wherein the first identifier comprises a third field to contain the nature of the identifier (page 6, lines 8-15 that specify a session identifying field (marked field # iv) in the four-component "user tag" in the generated request signal. The field is used for identifying the unique aspects of the session, thereby disclosing the nature of the first identifier).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a unique session activity identifier in the requested message, as taught by Marley et al. in the method of Dorot et al., so as to distinguish multiple activities occurring in a given session for billing/auditing purposes, thereby uniquely identifying a particular activity in a multi-activity session.

Consider **claim 9**, and **as applied to claim 1 above,** Dorot et al. clearly show and disclose the claimed invention except explicitly disclosing the method, wherein the first field comprises a contract identifier binding the user to the service provider.

In the same field of endeavor, Marley et al. clearly disclose the method wherein the first field comprises a contract identifier binding the user to the service provider (page 5, lines 3-7 which disclose that a user's telephone number and location are known to the network operator; page 6, lines 8-12 which disclose that a "user tag" is generated in response to user's request for service. The user tag comprises at least four components including an identification of the user (i.e. user's telephone number), thereby disclosing an association between the user and the service provider in the form

of the first field that stores the user's telephone number (a contract identifier) assigned by the service provider).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include user's telephone number as a contract identifier with the service provider, as taught by Marley et al. in the method of Dorot et al., so that the service provider can use the contract identifier for billing the user for the services provided.

Consider **claim 11**, and **as applied to claim 1 above,** Dorot et al. clearly show and disclose the claimed invention except explicitly disclosing the method wherein the contents of the second field are a piece of pseudo-random data.

In the same field of endeavor, Marley et al. clearly disclose the method wherein the contents of the second field are a piece of pseudo-random data (page 6, lines 8-12 which disclose that a "user tag" is generated in response to user's request for service. The user tag comprises at least four components including an identification of the ASP (Application Service Provider); page 8, lines 19-21 which disclose that the user tag can be protected in the form of a random number in association with the specific four components of the user tag, the random number process encompassing the pseudo-random generation process).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to substitute the content of the second field by using a

piece of pseudo-random data, as taught by Marley et al. in the method of Dorot et al., so that the type of content requested by the user is not revealed.

Consider **claim 12**, and **as applied to claim 11 above,** Dorot et al. clearly show and disclose the claimed invention except explicitly disclosing the method wherein the piece of pseudo-random data is a date.

In the same field of endeavor, Marley et al. clearly disclose the method wherein the piece of pseudo-random data is a date (page 6, lines 8-12 which disclose that a "user tag" is generated in response to user's request for service. The user tag comprises at least four components including the time and date of the user's request; page 8, lines 19-21 which disclose that the user tag can be protected in the form of a random number in association with the specific four components of the user tag, the random number process encompassing the pseudo-random generation process).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the time and date of the user's request, as taught by Marley et al. in the method of Dorot et al., so that the user may be appropriately billed for the services rendered and the lifetime of the request may be appropriately controlled.

Consider **claim 13**, and **as applied to claim 11 above,** Dorot et al. clearly show and disclose the claimed invention except explicitly disclosing the method wherein the random element is constant, for the gateway, during a predetermined period.

In the same field of endeavor, Marley et al. clearly disclose the method wherein the random element is constant, for the gateway, during a predetermined period (page 8, lines 10-12 which disclose that a "user tag" has a constant value with a finite lifetime appropriate to the maximum time likely to be involved in the provision of the service).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide for a predetermined time, a constant value of the random element, as taught by Marley et al. in the method of Dorot et al., so as to provide further protection for the user's privacy and for the user data stored by the network operator.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Dorot et al. (PCT Patent Application Publication # WO 02/11474 A2),** in view of **Gouge et al. (U.S. Patent Application Publication # 2003/0208595 A1).**

Consider **claim 6**, and **as applied to claim 1 above,** Dorot et al. clearly show and disclose the claimed invention except explicitly disclosing the method wherein the first identifier comprises a third field to contain the nature of the identifier.

In the same field of endeavor, Gouge et al. clearly show and disclose the method wherein the first identifier comprises a third field to contain the nature of the identifier (Fig. 7, Remote Request Router block 561 and Object Registry block 579; paragraph 0147 that discloses that if multiple instances of an object (such as user's telephone number) exist in the registry, there will be a unique "uuid" (unique identifier for each

object) for each instance; and various attributes about the object, such as version number, uniquely identifying each such instance).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include a unique identifier in the requested message, as taught by Gouge et al. in the method of Dorot et al., so as to distinguish multiple instances of an object (such as user's telephone number), thereby uniquely identifying a particular instance of the multiply-occurring object.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Dorot et al. (PCT Patent Application Publication # WO 02/11474 A2),** in view of **Marley et al. (U.K. Patent Application Publication # GB 2 372 175 A),** and **further in view of Thuvesholmen et al. (U.S. Patent Application Publication # 2002/0034300 A1).**

Consider **claim 8**, and **as applied to claim 6 above**, Dorot et al., as modified by Marley et al., clearly show and disclose the claimed invention except explicitly disclosing the method wherein the third field and/or the fourth field are not encrypted.

In the same field of endeavor, Thuvesholmen et al. clearly disclose the method wherein the third field and/or the fourth field are not encrypted (paragraph 0080, lines 1-8 which disclose that the Cipher Block Chaining encryption method is used specifically when the message to be encrypted contains static data (for example, Service Provider's ID), as otherwise an attacker could draw conclusions regarding the key, if the position of the static data is known by the attacker).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to leave the Service Provider's ID in the message unencrypted and use the Cipher Block Chaining encryption method instead, as taught by Thuvesholmen et al. in the method of Dorot et al., as modified by Marley et al., so as to be able to distinguish one user's message from other users' messages (as suggested by Marley et al. on page 6, lines 15-20).

Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Dorot et al. (PCT Patent Application Publication # WO 02/11474 A2),** in view of **Thuvesholmen et al. (U.S. Patent Application Publication # 2002/0034300 A1).**

Consider **claim 14**, and **as applied to claim 1 above,** Dorot et al. clearly show and disclose the claimed invention except explicitly disclosing that the method of encryption, to transcode the first and second fields, is a symmetrical block encryption method.

In the same field of endeavor, Thuvesholmen et al. clearly disclose that the method of encryption, to transcode the first and second fields, is a symmetrical block encryption method (paragraph 0079, lines 1-6 that describe using the AES encryption algorithm for encrypting a message using block encryption; paragraph 0094, lines 4-6 which disclose that each data block in a message is processed in a first hash function that is a symmetrical encryption algorithm).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use a symmetrical block encryption method to transcode the first and second fields in a message, as taught by Thuvesholmen et al. in the method of Dorot et al., so that neither the identification of the user requesting the anonymous content delivery nor the type of content requested is revealed.

Consider **claim 15**, and **as applied to claim 1 above,** Dorot et al. clearly show and disclose the claimed invention except explicitly disclosing that the method of encryption, to transcode the first and second fields, is a symmetrical encryption method using block chaining.

In the same field of endeavor, Thuvesholmen et al. clearly disclose that the method of encryption, to transcode the first and second fields, is a symmetrical encryption method using block chaining (paragraph 0080, lines 1-14 that disclose using CBC (Cipher Block Chaining) encryption).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use a symmetrical encryption method using block chaining, to transcode the first and second fields, as taught by Thuvesholmen et al. in the method of Dorot et al., so that the anonymity of the user requesting content delivery is further safeguarded against attacks from hackers if any static data fields are present in the message being transmitted.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

US Patent: 6,738,808 B1, inventor: Zellner et al., issued: 05/18/2004

US Patent Application Publication 2004/0148392 A1; by Cotte; filed 1/29/2003

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Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Kishin G. Belani whose telephone number is (571) 270-1768. The Examiner can normally be reached on Monday-Thursday from 6:30 am to 5:00 pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Rafael Perez Gutierrez can be reached on (571) 270-1767 or (571) 272-7915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Kishin G. Belani
K.G.B./kgb

April 30, 2007

RAFAEL PEREZ-GUTIERREZ
SUPERVISORY PATENT EXAMINER
5/2/07